



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

December 14, 2005

FOLEY & LARDNER LLP
1530 PAGE MILL ROAD
PALO ALTO, CA 94304
US

Dear Sir/Madam,

Your refund request for 10714593 in the amount of \$1,800.00 has been denied .

Due to all the multiple claims the total claims is 76 not 40. See counting sheet

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177



DEPT REF
P. 207

Atty. Dkt. No. 056274-3451

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 OCT 27 PM 4:00

US PATENT & TRADEMARK
OFFICE

Applicant: XU et al.

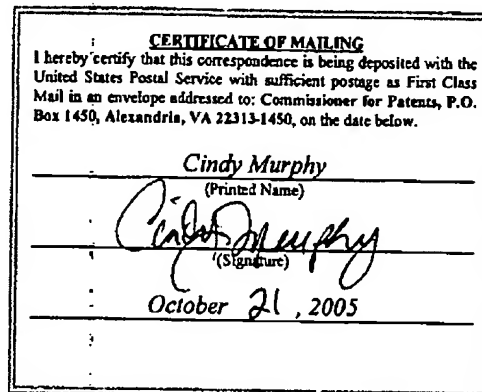
Title: COMBINATION CANCER
THERAPY WITH A GST-
ACTIVATED ANTICANCER
COMPOUND AND ANOTHER
ANTICANCER THERAPY

Appl. No.: 10/714,593

Filing Date: 11/14/2003

Examiner: Fetterolf, Brandon J.

Art Unit: 1642



REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests a refund of \$1,800.00 for the number of claims that was paid in excess in the above-identified application. The correct number of claims is 40 and not 78. Since 42 claims had previously been paid for, applicant mistakenly paid for an additional 36 claims.

Applicants hereby request a refund of \$1800.00 for Amendment Filing Fee that was paid by check in the above-identified application. Attached is a copy of the Application Transmittal along with a copy of check and date-stamped postcard.

Additionally, Applicants submit that this Request is timely as it is being filed within three months of the date of the payment of the fee.

BEST AVAILABLE COPY

Therefore, Applicant respectfully requests that a credit of \$1,800.00 be made to Deposit Account No. 50-0872.

In view of the foregoing, it is believed that no fee is required for filing this petition, but should a fee be required, the PTO is authorized to charge an appropriate fee for the filing of this petition to Deposit Account No. 50-0872.

Respectfully submitted,

Date 21 October 2005

By Hugo M. Eng

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1126
Facsimile: (650) 856-3710

Hugo M. Eng
Patent Agent
Registration No. 50,840



Atty. Dkt. No. 056274-3451

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: XU et al.

Title: COMBINATION CANCER
THERAPY WITH A GST-
ACTIVATED ANTICANCER
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ANTICANCER THERAPY

Appl. No.: 10/714,593

Filing Date: 11/14/2003

Examiner: Fetterolf, Brandon J.

Art Unit: 1642

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Cindy Murphy</u> (Printed Name)</p> <p><u>Cindy Murphy</u> (Signature)</p> <p><u>October 21, 2005</u></p>

REQUEST FOR REFUND

*Duplicate
for
processing.*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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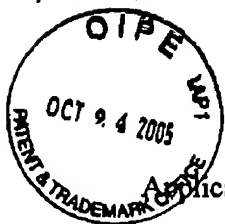
Respectfully submitted,

Date 21 October 2005

By Hugo M. Eng

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Telephone: (650) 251-1126
Facsimile: (650) 856-3710

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Atty. Dkt. No. 056274-3451

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE/

Applicant: XU et al.

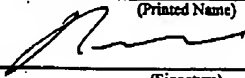
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THERAPY WITH A GST-
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COMPOUND AND ANOTHER
ANTICANCER THERAPY

Appl. No.: 10/714,593

Filing Date: 11/14/2003

Examiner: Fetterolf, Brandon J.

Art Unit: 1642

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 463 730 856 US	October 7, 2005
(Express Mail Label Number)	(Date of Deposit)
Rene Campos	
(Printed Name)	
	
(Signature)	

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Sir:

Transmitted herewith is an amendment in the above-identified application including:

- ☒ [X] Information Disclosure Statement (3 pgs.);
- ☒ [X] PTO/SB/08 (2 pgs.);
- ☒ [X] Copy of articles, (2), Telik press releases (8), Abstract (2), Posters (2);
- ☒ [X] Copy of USP Dictionary of USAN and International Drug Names (3 pgs., cover page and pp 155-156);
- ☒ [X] Return Receipt Postcard.
- ☒ [X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	78	-	42	=	36	x	\$50.00	=	\$1800.00

Independent Claims:	4	-	6	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL							=	\$1800.00	

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$2,160.00
EXTENSION FEE TOTAL:		\$2,160.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$3,960.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
TOTAL FEE:		\$3,960.00

☒ A check in the amount of \$3,960.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 7 Oct. 2005

By Hugo M. Eng

FOLEY & LARDNER LLP
1530 Page Mill Road
Palo Alto, California 94304-1125
Telephone: (650) 251-1126
Facsimile: (650) 856-3710

Hugo M. Eng
Patent Agent
Registration No. 50,840

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THIS DOCUMENT IS VOID IF COLORED BACKGROUND DOES NOT APPEAR ON THE FACE

Foley & Lardner LLP

1530 Page Mill Road

Palo Alto, CA 94304-1125

PH: (650) 856-3700

12-2750

No. 1368

October 7, 2005

PAY
ONLY

AMOUNT

*****\$3960.00

THREE THOUSAND NINE HUNDRED SIXTY AND 00/100 DOLLARS*****

PAY TO THE ORDER OF THE DIRECTOR OF U.S. PATENT & TRADEMARK OFFICE

056274-3451

10/714.593

GFS

CLM

Additional Claims, Extension of Time

CITIBANK
LOS ANGELES, CA

(Checks over \$3500 require two signatures)

Mary A. Jensen

00001368 0322271724 201018280

Foley & Lardner LLP

1530 Page Mill Road

Palo Alto, CA 94304-1125

PH: (650) 856-3700

October 7, 2005

No. 1368

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ONLY

AMOUNT

*****\$3960.00

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056274-3451

10/714.593

GFS

CLM

Additional Claims, Extension of Time

CITIBANK
LOS ANGELES, CA

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COPY

Title: COMBINATION CANCER THERAPY WITH A GST-ACTIVATED
ANTICANCER COMPOUND AND ANOTHER ANTICANCER THERAPY

Inventor(s): XU, et al.

Dkt.-No.: 056274-3451

Appl. No.: 10/714,593

Filed: 11-14-03

- Amendment Transmittal + duplicate (6 pgs.);
- Amendment (11 pgs.);
- Information Disclosure Statement (3 pgs.);
- PTO Form SB/08 (2 pgs.);
- Copy of articles, (2), Telik press releases (8), Abstracts (2), Posters (2);
- Copy of USP Dictionary of USAN and International Drug Names (cover page and pp 155-156;
- Check Number 1368 for \$3,960.00.

HME/dm

Filed via Express Mail No. EV 643 730 856 US on October 7, 2005

RECEIVED

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OCT 17 2005

FOLEY & LARDNER LLP



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**MULTIPLE DEPENDENT CLAIM
FEE CALCULATION SHEET**

SERIAL NO.

FILING DATE

APPLICANT(S)

CLAIMS

	AS FILED		AFTER 1ST AMENDMENT		AFTER 2ND AMENDMENT	
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TOTAL IND.	5					
TOTAL DEP.	71					
TOTAL CLAIMS	76					

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